



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

SEPTEMBER 9, 2019

9:30

Calendar No. 19-179: 1519 East 123 Street

**Ward 9
Kevin Conwell
12 Notices**

B.R. Knez, owner, proposes to construct a new 2 story single family house with a detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.06(a) which states that the required front yard setback is 22.25 feet and the appellant is proposing 18 feet.
2. Section 341.02(b) which states that City planning approval is required prior to the issuance of a building permit. (Filed July 26, 2019).

9:30

Calendar No. 19-180: 1521 East 123 Street

**Ward 9
Kevin Conwell
12 Notices**

B.R. Knez, owner, proposes to construct a new 2 story single family house with a detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.06(a) which states that the required front yard setback is 22.25 feet and the appellant is proposing 18 feet.
2. Section 341.02(b) which states that City planning approval is required prior to the issuance of a building permit. (Filed July 26, 2019).

9:30

Calendar No. 19-186: 4708 Bridge Ave.

**Ward 3
Kerry McCormack
16 Notices**

Katalin Paroska, owner, proposes to construct a new single family dwelling with an attached garage on a 7,920 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that the depth of the required rear yard shall be not less than 20 feet; the proposed rear yard is 12 feet.
2. Section 355.04(a) which states that the maximum gross floor area in a "B" Area District shall not exceed ½ the lot area, or in this case 3,960 square feet and the appellant is proposing 4,036 square feet. (Filed July 26, 2019).

9:30

Calendar No. 19-188:

3540 W. 117 Street

Ward 11

Dona Brady

27 Notices

Neal Assad, owner, proposes to establish use as used car sales and repair shop in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that Motor Vehicle Sales and Repair Shop are not permitted uses in the Local Retail Business District but is first permitted in General Retail District if 100 feet from a residential district per section 343.11 (b)(2)(1) of the Cleveland Codified Ordinances.
2. Section 357.01(c) which states that a front yard setback is required in Local Retail Business District
3. Section 357.13 (b) which states that Parking of motor vehicles is not a permitted front yard setback encroachment. The front yard setback is established by building line of existing residences on W. 117 Street per section 357.06(a)
4. Sections 352.08 through 12 which state that a 10 foot Wide transition strip of at least 75% year round opacity where property abuts residential district at rear and side is required.
5. Section 343.18(d)(e) which states that the driveway width cannot exceed 30 feet and that the distance between two driveways must be at least 30 feet.
6. Section 349.04(f) which states that an Auto Sales lot must provide 25 percent of their gross lot area for customer parking.
7. Note: A separate permit is required for sign; sign detail is not shown. (Filed July 24, 2019)

9:30

Calendar No. 19-189:

12218 Ashbury Ave.

Ward 9

Kevin Conwell

7 Notices

B.R. Knez, owner, proposes to construct a new 2 ½ story single family house with an attached garage on a 3,400 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that the depth of required rear yard shall be not less than 20 feet and the proposed rear yard is 9'-0"
2. Section 355.04(b) which states that in a "B" Area District the maximum gross floor area shall not exceed ½ of the lot area; therefore in this case the maximum gross floor area shall be 1,700 square feet and 1,768 square feet are proposed.
3. Section 341.02 (b) which states that City planning approval is required prior to the issuance of a building permit.(Filed July 26, 2019).

9:30

Calendar No. 19-190:

12222 Ashbury Ave.

**Ward 9
Kevin Conwell
7 Notices**

B.R. Knez, owner, proposes to construct a new 2 ½ story single family house with an attached garage on a 3,360 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that the depth of required rear yard shall be not less than 20 feet and the proposed rear yard is 2'-0"
2. Section 355.04(b) which states that in a "B" Area District the maximum gross floor area shall not exceed ½ of the lot area; therefore in this case the maximum gross floor area shall be 1,680 square feet and 1,982 square feet are proposed.
3. Section 341.02 (b) which states that City planning approval is required prior to the issuance of a building permit.(Filed July 26, 2019).

9:30

Calendar No. 19-191:

12305 Wade Park Ave.

**Ward 7
Kevin Conwell
8 Notices**

B.R. Knez, owner, proposes to construct a new 2 ½ story single family house with an attached garage on a 3,400 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that the depth of required rear yard shall be not less than 20 feet and the proposed rear yard is 8 feet 4 inches.
2. Section 355.04(b) which states that in a "B" Area District the maximum gross floor area shall not exceed ½ of the lot area; therefore in this case the maximum gross floor area shall be 1,700 square feet and 1,804 square feet are proposed.
3. Section 341.02 (b) which states that City planning approval is required prior to the issuance of a building permit.(Filed July 26, 2019).

9:30

Calendar No. 19-192:

1521 East 47 Street

**Ward 7
Basheer S. Jones
26 Notices**

Angela Cario, owner, proposes to erect a 7400 square foot addition to existing stone shop in a C3 Semi-Industry District and a B2 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.08 which states that the use is not permitted in a Multi-Family Residential District.
2. Section 352.08 which states that an 8 foot wide transition strip is required where lot abuts Residential District and 4 feet are proposed.
3. Section 345.03(b)(33) which states that a 7 foot high wall or screened fence of new, sound material is required. Any lumber used for such wall or fence shall be new sound material surfaced and painted on the outside. There shall be no storage of salvage articles or material. (Filed July 24, 2019)

9:30

Calendar No. 19-193:

2035 W. 18 Street

Ward 3

Kerry McCormack

11 Notices

DI Rentals, LLC., owner, propose to erect a 3 story single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 (a) which states that the maximum gross floor area shall not exceed 50 percent of the lot sign or in this case 2,060 square feet and the owner is proposing 3,700 square feet.
2. Section 357.08(3) which states that the required Rear Yard for an irregular shaped lot is 10 feet and the appellant is proposing 1 foot.
3. Section 357.13 which states that an Air Conditioning Unit is not a permitted Interior Side yard Encroachment.
4. Section 341.02 (b) which states that City Planning approval is required prior to the issuance of a building permit.
5. Note: Consolidation & easement requires approval engineering & construction 518 (Filed August 6, 2019)

9:30

Calendar No. 19-196:

12021 Mayfield Rd.

Ward 6

Blaine A. Griffin

32 Notices

Holy Rosary Church, owner, proposes to renovate a parking lot in a C2 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.07(a) which states that a 10' specific set back is required along E. 120 St; parking spaces are within setback.
2. Section 349.07(b) which states that accessory off-street parking spaces shall be provided with wheel or bumper guards so located that no part of a parked vehicle will extend beyond such parking spaces.
3. Section 349.0(c)(3) which states that a driveway shall have an apron radius at the curb of not less than 6' or a curb cut of not more than 60' and shall provide a means for motor vehicles to enter and leave the parking facility without obstructing traffic.
4. Sections 352.08 through 352.11 which state that a 6' wide transition strip is required at the rear of parking lot where parking abut Multi-Family District.
5. Section 352.10 which states that 6' wide landscape strip is required along E. 120 St., Coltman Rd. where parking lot abuts streets.
6. Section 349.15 which states that 3 Bicycle parking spaces required; none proposed. (Filed August 6, 2019)

POSTPONED FROM JULY 29, 2019

9:30

Calendar No. 19-164:

4100 West 150 Street

Ward 16

Brian Kazy

15 Notices

BFR Cleveland Office LLC., owner, proposes to reconfigure and expand parking lot in a B3 General Industry District. The owner appeals for relief from the strict application of Section 352.10 which states that parking lots of over 100 spaces require island landscape strips with a minimum area of at least 100 square feet and separated by no more than 20 parking spaces. (Filed July 2, 2019-Testimony Taken). *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE COUNCILMAN TO ALLOW FOR TIME FOR THE APPELLANT TO MEET WITH HIM AND BELLAIRE PURITAS DEVELOPMENT CORPORATION.*

POSTPONED FROM JULY 15, 2019

9:30

Calendar No. 19-134:

565 E. 110 Street

Ward 10

Anthony Hairston

21 Notices

Merrit Housing Inv., owner, and Alicia Brewer, lessee, propose to establish use as a state-licensed Residential Facility for up to five residents in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that a "Residential Facility" means a publicly or privately operated home or facility, license pursuant to the state law, that provides accommodations, supervision, and personal care services to any of the following: (a) one (1) or two(2) unrelated persons with mental illness; (b)one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three(3) to sixteen (16) unrelated adults.
2. Section 337.02(h) which states that a Residential Facility in One-Family Residential District must be at least 1,000 feet apart. Proposed use is within 1,000 feet of existing Residential Facility, Royal Haven Adult Family Home at 656 East 109 Street (Filed May 22, 2019- Testimony Taken) *FIRST POSTPONEMENT MADE AT THE REQUEST OF THE BOARD TO ALLOW TIME FOR THE APPELLANT TO MEET WITH CITY PLANNING AND COUNCILMAN HAIRSTON.*

ADMINISTRATIVE APPEAL

9:30

Calendar No. 19-120:

**Appeal of
Franklin Townhomes L.P.
from the decision of the City
Planning Commission**

Ward 3

Kerry McCormack

Franklin Townhomes, L.P., appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Planning Commission rendered on May 3, 2019 to deny use as a townhome in a B1 Two-Family Residential District at 3210 Franklin Boulevard. (Filed May 30, 2019)